

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
JOHN K. GRANT (169813)
SHAWN A. WILLIAMS (213113)
MONIQUE C. WINKLER (213031)
AELISH M. BAIG (201279)
100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)
johng@csgrr.com
shawnw@csgrr.com
mwinkler@csgrr.com
abaig@csgrr.com

– and –

TRAVIS E. DOWNS III (148274)
KATHLEEN A. HERKENHOFF (168562)
BENNY C. GOODMAN III (211302)
MARY LYNNE CALKINS (212171)
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
travisd@csgrr.com
kathyh@csgrr.com
bgoodman@csgrr.com
mcalkins@csgrr.com

SCHIFFRIN BARROWAY TOPAZ
& KESSLER LLP
LEE D. RUDY
ALISON K. CLARK
280 King of Prussia Road
Radnor, PA 19087
Telephone: 610/667-7706
610/667-7056 (fax)
lrudy@sbtclaw.com
aclark@sbtclaw.com

Co-Lead Counsel for Plaintiffs

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re AGILE SOFTWARE CORPORATION)
DERIVATIVE LITIGATION)

This Document Relates To:)

ALL ACTIONS.)

Lead Case No. C-06-07434-JW

SECOND STIPULATION AND
[Proposed] ORDER SETTING
SCHEDULE

1 WHEREAS, by Order dated August 30, 2007, plaintiffs were required to file an opposition to
2 defendants' Motions to Dismiss by October 5, 2007;

3 WHEREAS, plaintiffs seek a short extension of time and defendants do not oppose;

4 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
5 undersigned, subject to the approval of the Court, as follows:

6 1. Lead Plaintiffs shall file and serve their opposition to defendants' Motions to Dismiss
7 the Consolidated Complaint no later than October 23, 2007.

8 2. Defendants shall serve any reply not later than December 4, 2007.

9 3. The hearing on the Motions to Dismiss shall be continued from December 10, 2007 to
10 January 14, 2008 at 9:00 a.m.

11 IT IS SO STIPULATED.

12 DATED: October 5, 2007

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
JOHN K. GRANT
SHAWN A. WILLIAMS
MONIQUE C. WINKLER
AELISH M. BAIG
100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
TRAVIS E. DOWNS III
KATHLEEN A. HERKENHOFF
BENNY C. GOODMAN III
MARY LYNNE CALKINS

22 s/ KATHLEEN A. HERKENHOFF
KATHLEEN A. HERKENHOFF

23
24 655 West Broadway, Suite 1900
San Diego, CA 92101
25 Telephone: 619/231-1058
619/231-7423 (fax)
26
27
28

SCHIFFRIN BARROWAY TOPAZ
& KESSLER LLP
LEE D. RUDY
ALISON K. CLARK
280 King of Prussia Road
Radnor, PA 19087
Telephone: 610/667-7706
610/667-7056 (fax)

SCHIFFRIN, BARROWAY, TOPAZ
& KESSLER, LLP
ALAN R. PLUTZIK
NICHOLE BROWNING
125 Oak Grove Road, Suite 120
Walnut Creek, CA 94598
Telephone: 925/945-0200
925/945-8792 (fax)

Co-Lead Counsel for Plaintiffs

I, Kathleen A. Herkenhoff, am the ECF User whose ID and password are being used to file this Second Stipulation and [Proposed] Order Setting Schedule. In compliance with General Order 45, X.B., I hereby attest that Jonathan B. Gaskin has concurred in this filing.

DATED: October 5, 2007

ORRICK, HERRINGTON & SUTCLIFFE LLP
JAMES N. KRAMER
JONATHAN B. GASKIN
BENJAMIN P. VAN HOUTEN
LUCY E. BUFORD

s/ JONATHAN B. GASKIN
JONATHAN B. GASKIN

The Orrick Building
405 Howard Street
San Francisco, CA 94105
Telephone: 415/773-5700
415/773-5759 (fax)

Attorneys for Defendants

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 10, 2007

THE HONORABLE JAMES WARE
UNITED STATES DISTRICT JUDGE

S:\CasesSD\Agile Software Derivative\S_O00046104.doc

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 5, 2007.

s/ KATHLEEN A. HERKENHOFF
KATHLEEN A. HERKENHOFF

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101-3301
Telephone: 619/231-1058
619/231-7423 (fax)

E-mail:kathyh@csgrr.com

Mailing Information for a Case 5:06-cv-07434-JW

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Lucy Edmond Buford**
lbuford@orrick.com
- **Travis E. Downs , III**
travisd@csgrr.com,e_file_sd@csgrr.com
- **Jonathan B. Gaskin**
jgaskin@orrick.com,mticzon@orrick.com
- **James Neil Kramer**
jkramer@orrick.com
- **William S. Lerach**
e_file_sf@lerachlaw.com
- **Alan Roth Plutzik**
aplutzik@bramsonplutzik.com
- **Benjamin Paul Van Houten**
bvanhouten@orrick.com
- **Shawn A. Williams**
shawnw@csgrr.com,travisd@csgrr.com,moniquew@csgrr.com,e_file_sf@csgrr.com,cwood@csgrr.com,e_file_sd@cs
- **Monique C. Winkler**
shawnw@csgrr.com,travisd@csgrr.com,e_file_sd@csgrr.com,E_File_SF@csgrr.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Darren Jay Robbins
Coughlin Stoia Geller Rudman & Robbins LLP
655 West Broadway
Suite 1900
San Diego, CA 92101